

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL JOSEPH SANGREY,

Defendant.

CR 00-100-GF-BMM

**ORDER**

This case was referred to United States Magistrate Judge John Johnston for a revocation hearing and findings and recommendations. Judge Johnston entered his findings and recommendations on March 30, 2016. Defendant admitted he had violated Standard Condition 2 of his supervised release by failing to report to his probation officer as directed, and he had violated Special Condition 1 of his supervised release by failing to participate in substance abuse testing. Judge Johnston found the admissions sufficient to establish the supervised release violations. He recommended that this Court revoke Defendant's supervised release and commit him to the custody of the United States Bureau of Prisons for a term of imprisonment of nine months, with 36 months of supervised release to follow.

No objections were filed by either party. Judge Johnston's findings and recommendations are therefore reviewed for clear error. *McDonnell*

*Douglas Corp. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

This Court agrees with Judge Johnston's findings. Defendant admitted he had violated Standard Condition 2 and Special Condition 1. Defendant could be incarcerated for up to 45 months, followed by 45 months of supervised release less any custody time imposed. The United States Sentencing Guidelines call for a term of imprisonment of seven to 13 months. A sentence of nine months in custody, followed by 36 months of supervised release is appropriate. The sentence is sufficient but not greater than necessary.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 136) are ADOPTED in full and Judgment shall be entered accordingly.

DATED this 18th day of April, 2016.



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Brian Morris  
United States District Court Judge